UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,008	08/21/2003	Randall E. Aull	M1103.70658US00	6222

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2437	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/645,008	AULL ET AL.
	Examiner	Art Unit	
	SHEWAYE GELAGAY	2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 November 2009</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4,6,8-13,15-21,25-28,30,32 and 35</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-4, 6, 8-13, 15-21, 25-28, 30, 32 and 35</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11/25/09 has been entered.

2.   Claims 1-4, 6, 8-10, 12-13, 15, 20-21, 25-28, 30, 32 and 35 have been amended.

Claims 5, 7, 14, 22-24, 29, 31 and 33-34 are cancelled. Claims 1-4, 6, 8-13, 15-21, 25-

28, 30, 32 and 35 are pending.

Response to Arguments

3.   Applicant's arguments filed on 11/ 25/09 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claims 1-4, 6, 8-13, 15-21, 25-28, 30, 32 and 35 are rejected under 35

U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and

distinctly claim the subject matter which applicant regards as the invention. 1, 12, 20,

25, 32 and 35 recite "a physical interface component that physically couples" while "a

component" is described in the specification on paragraph 35 that "as used in this

application, the terms "component," "handler," "model," "system," and the like are

intended to refer to a computer-related entity, either hardware, a combination of

hardware and software, software, or software in execution. For example, a component

may be, but is not limited to being, a process running on a processor, a processor, an

object, an executable, a thread of execution, a program, and/or a computer." It is

unclear from the claimed limitation how "a physical interface component" that is

implemented as a software or software in execution can physically couple two devices

as recited in the claims.

6.   Dependent claims 2-4, 6, 8-11, 13, 15-19, 21, 26-28 and 30 are rejected for their

dependency on and inclusion of the rejected subject matter of in the independent

claims.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-4, 8, 10, 11-12, 20, 25-27 and 35 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Kurisko et al. (hereinafter Kurisko) US Patent Number

7,174,130 in view of Serceki et al. (hereinafter Serceki) US 2003/0078072.

        As per claims 1, 12, 20, 25 and 35:

Kurisko teaches a physical device bonding system that facilitates at least one of device installation or authentication, comprising:

a physical interface component that physically couples at least a first device and a second device wherein the physical interface component receives connection information associated with at least one of an installation protocol or an authentication protocol from the first device; (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–col. 8, line 12)

provides the connection information to the second device to establish a non-physical connection between the first device and the second device. (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–col. 8, line 12)

Kurisko does not explicitly disclose storing at least one of an installation protocol or an authentication protocol for later use and establishes the non-physical connection. Serceki in analogous art, however teaches storing at least one of an installation protocol or an authentication protocol for later use and establishes the non-physical connection. (Abstract; figures 5a-5d; [0038]-[0043]) Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the system disclosed by Kurisko with Serceki in order to exchange configuration information or security keys to a wireless station using a physical medium for the data transfer thereby providing a measure of security for the data. ([0001], [0006]; Serceki)

As per claim 2:

The combination of Kurisko and Serceki teaches all the subject matter as discussed above. In addition, Serceki further teaches wherein the first device is a

wireless device and the second device is a network entity. (Abstract; figures 5a-5d;

[0038]-[0043])

As per claims 3 and 26:

The combination of Kurisko and Serceki teaches all the subject matter as

discussed above. In addition, Kuisko further teaches wherein providing the connection

information invokes at least one of an installation or an authentication during the

physical coupling. (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–col. 8,

line 12)

As per claim 4 and 27:

The combination of Kurisko and Serceki teaches all the subject matter as

discussed above. In addition, Kuisko further teaches wherein providing the connection

information invokes at least one of an installation or an authentication after the physical

coupling is disengaged. (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–

col. 8, line 12)

As per claims 8 and 10:

The combination of Kurisko and Serceki teaches all the subject matter as

discussed above. In addition, Serceki further teaches wherein the physical interface

As per claim 11:

The combination of Kurisko and Serceki teaches all the subject matter as

discussed above. In addition, Kuisko further teaches wherein the non-physical

connection is at least one of: a wireless connection; an optical connection; or an infrared

connection. (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–col. 8, line 12)

1.   Claims 6, 9, 15-19, 21, 30 and 32 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Kurisko et al. (hereinafter Kurisko) US Patent Number 7,174,130 in
view of Serceki et al. (hereinafter Serceki) US 2003/0078072 and in view of Plasson et
al. (hereinafter Plasson) US Patent Number 6,795,688.
As per claims 6, 21 and 30:

2.   The combination of Kurisko and Serceki teaches all the subject matter as
discussed above. None of the references explicitly disclose the invocation component
utilizes a daisy chain scheme to invoke at least on of the installation protocol or
authentication protocol. Plasson in analogous art, however, discloses invocation
component utilizes a daisy chain scheme to invoke the installation protocol and/or
authentication protocol. (col. 10, line 34-col. 11, line 11 ; col. 17, lines 53-67) Therefore
it would have been obvious to one ordinary skill in the art to modify the method
disclosed by Phillips, Kurisko and Serceki with Plasson in order to provide-a system
dynamically configuring a device, adapted to be communicatively coupled in a wireless
personal area network, with an attribute corresponding to the device. (col. 5, lines 43-
45; Plasson)

As per claim 9:

       The combination of Kurisko and Serceki teaches all the subject matter as
discussed above. None of the references explicitly disclose the physical interface is a
touch-pad comprising a conductive material. Plasson in analogous, art, however,
discloses the physical interface is a touch-pad comprising a conductive material. (col.
10, lines 8-17) Therefore it would have been obvious to one ordinary skill in the art to

modify the method disclosed by Phillips, Kurisko and Serceki with Plasson in order to provide a system to communicate information and command selections. (col. 10, lines 9-10; Plasson)

As per claim 15:

The combination of Kurisko and Serceki teaches all the subject matter as discussed above. None of the references explicitly disclose the physical interface component comprises a plurality of device at least one of the installation or authentication protocol(s) that provides the installation and/or authentication of a plurality of non-physical connections. Plasson in analogous art, however, discloses the physical interface component comprises a plurality of device at least one of the installation or authentication protocol(s) that provides at least one of the installation or authentication of a plurality of non-physical connections. (figure 3A) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Serceki with Plasson in order to provide a system to communicate information and command selections. (col. 10, lines 9-10; Plasson)

As per claims 16 and 18-19:

The combination of Kurisko, Serceki and Plasson teaches all the subject matter as discussed above. In addition, Plasson further discloses a system the non-physical connections between the plurality of devices and the at least one network entity are independent and separate. (figure 1, item 190)

As per claim 17:

The combination of Kurisko and Serceki teaches all the subject matter as discussed above. None of the references explicitly disclose the device is at least one of a wireless adapter; a wireless speaker; a wireless headset; a wireless keyboard; a wireless mouse; a wireless monitor; a wireless personal digital assistant (PDA); a wireless access point; and a wireless MP3 player. (col. 10, lines 8-55) Therefore it would have been obvious to one ordinary skill in the art to modify the method disclosed by Phillips, Kurisko and Serceki with Plasson in order to provide a system dynamically configuring a device, adapted to be communicatively coupled in a wireless personal area network, with an attribute corresponding to the device. (col. 5, lines 43-45; Plasson)

As per claim 32:

Kurisko teaches a computer readable storage medium operatively connected to a physical interface component, the computer readable storage medium having stored thereon computer executable instructions for facilitating at least one of device installation or authentication through performing the steps of:

receiving first connection information associated with at least one of a first installation protocol or a first authentication protocol while the physical interface component is physically connected to a first wireless device; (Abstract; figures 4, 5 and 6; col. 6, lines 56-60; col. 7, line 8–col. 8, line 12)

receiving second connection information associated with at least one of a second installation protocol or a second authentication protocol while the physical interface

component is physically connected to a second wireless device; (Abstract; figures 4, 5

and 6; col. 6, lines 56-60; col. 7, line 8–col. 8, line 12)

Kurisko does not explicitly disclose storing the first and second connection

information in a memory of the physical interface component; and providing the first and

second connection information to a network entity while the physical interface

component is physically connected to the network entity to establish non-physical

connections between the first and second wireless devices and the network entity so

that the first and second wireless devices and the network entity communicate

wirelessly.

Serceki in analogous art, however teaches storing at least one of an installation

protocol or an authentication protocol for later use and establishes the non-physical

connection. (Abstract; figures 5a-5d; [0038]-[0043]) Therefore it would have been

obvious to one ordinary skill in the art at the time the invention was made to modify the

system disclosed by Kurisko with Serceki in order to exchange configuration information

or security keys to a wireless station using a physical medium for the data transfer

thereby providing a measure of security for the data. ([0001], [0006]; Serceki)

Both references do not explicitly disclose providing the first and second

connection information to a network entity while the physical interface component is

physically connected to the network entity to establish non-physical connections

between the first and second wireless devices and the network entity so that the first

and second wireless devices and the network entity communicate wirelessly. Plasson in

analogous art, however, discloses providing the first and second connection information

to a network entity while the physical interface component is physically connected to the

network entity to establish non-physical connections between the first and second

wireless devices and the network entity so that the first and second wireless devices

and the network entity communicate wirelessly. (col. 10, line 34-col. 11, line 11 ; col. 17,

lines 53-67)Therefore it would have been obvious to one ordinary skill in the art to

modify the method disclosed by Phillips, Kurisko and Bartek with Plasson in order to

provide a system to communicate information and command selections. (col. 10, lines

9-10; Plasson)

3.   Claims 13 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kurisko et al. (hereinafter Kurisko) US Patent Number 7,174,130 in view of Serceki

et al. (hereinafter Serceki) US 2003/0078072 and further in view of Chaskar et al.

(hereinafter Chaskar) US Publication Number 2005/0066044.

As per claims 13 and 28:

        The combination of Phillips, Kurisko and Serceki teaches all the subject matter

as discussed above. None of the references explicitly disclose utilizing an artificial

intelligence technique to facilitate installation and/or authentication of a device. Chaskar

in analogous art, however, discloses utilizing an artificial intelligence technique to

facilitate installation and/or authentication of a device. (page 5, paragraph 51) Therefore

it would have been obvious to one ordinary skill in the art to modify the method

disclosed by Phillips, Kurisko and Serceki with Chaskar in order to facilitate probability

of success regarding satisfying the mobile device current location determination needs.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHEWAYE GELAGAY whose telephone number is

(571)272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shewaye Gelagay/
Examiner, Art Unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437